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| APPLICATION NO.                 | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---------------------------------|-------------|----------------------|---------------------|------------------|
| 10/644,642                      | 08/20/2003  | Sol H. Wynn          | SW-0301             | 5487             |
| 36088                           | 7590        | 11/29/2005           | EXAMINER            |                  |
| KANG LIM                        |             |                      | HARPER, KEVIN C     |                  |
| 3494 CAMINO TASSAJARA ROAD #436 |             |                      | ART UNIT            |                  |
| DANVILLE, CA 94306              |             |                      | PAPER NUMBER        |                  |
|                                 |             |                      | 2666                |                  |

DATE MAILED: 11/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/644,642

Applicant(s)

WYNN, SOL H.

Examiner

Kevin C. Harper

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2666

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 07 September 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

***Response to Arguments***

Applicant's arguments, filed September 7, 2005 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Koyama and Abraham.

***Claim Objections***

1. Claims 9-10 are objected to because "the external telephone system" lacks antecedent basis. Appropriate correction is required.

***Claim Rejections - 35 USC § 103***

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1 and 9-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Koyama (US 2003/0227910) in view of Abraham et al. (US 5,978,568).

2. Regarding claim 1, Koyama discloses a digital attendant (fig. 1, item 12) useful in association with a netphone (item 18), a voicemail device (item 11; para. 6, lines 1-2) and a local area network (item 101). The attendant comprises a LAN interface (connection to LAN 102, a telephony interface (connection to line 102), wherein the netphone includes an inherent netphone directory to store addresses for the digital attendant and the voicemail device (para. 32, lines 7-15 and 19-27; para. 6), wherein the voicemail device includes a directory to store a network address for the netphone (para. 6), and an attendant directory to store a network address for the

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netphone (para. 32, lines 7-15 and 19-27; note: IP addresses are used for communication over the LAN - para. 32, lines 13-15).

3. However, Koyama does not specifically disclose that the voicemail device and the attendant store the addresses of each other. Although, Koyama discloses communication between outside telephone users through the attendant (para. 7) and Koyama discloses storing voice mail messages for the users of the network. Therefore, it would have been obvious to one skilled in the art at the time the invention was made to for the voicemail device to store the address of the attendant and the attendant to store the address of the voicemail device in the invention of Koyama in order to provide communications between the voicemail device and the attendant so that voice mail messages may be left for the netphones from outside users (para. 6).

4. Further, Koyama does not disclose updating the addresses of the devices of the network. Abraham discloses updating network addresses (col. 18, lines 38-47). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to update the addresses of the devices in the invention of Koyama in order to use the current address of a device (Abraham, col. 18, lines 43-45).

5. Regarding claims 9-10, in Koyama the attendant is connected to a PSTN system (item 20) and a PBX system (item 13).

6. Regarding claim 11, in Koyama the LAN is based on Ethernet (para. 4, last five lines; note: IEEE 802.3).

Claims 2 and 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Koyama in view of Abraham as applied to claim 1 above, and further in view of Fischer (US 2003/0214930).

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7. Regarding claim 2 and 12, Koyama in view of Abraham does not disclose that attendant includes a wireless telephony interface. Fischer discloses an apparatus of a LAN comprising a wireless telephony interface (item 127; para. 44; para. 38, lines 11-12; note: a telephony interface for allowing the telephone 105 to communicate with telephone networks). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to have a wireless telephony interface in the invention of Koyama in order to provide a connection as desired though design by eliminating a wired connection as known in the art (Fischer, para. 7).

Regarding claim 8, the external computer network is the Internet (fig. 1, item 122).

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Koyama in view of Abraham as applied to claim 1 above, and further in view of Veerina et al. (US 6,243,379).

8. Koyama in view of Abraham does not disclose a telephony interface based on a dial-up modem protocol. Veerina discloses an apparatus (fig. 1) comprising a network interface (item 28) based on a dial-up modem protocol (col. 1, lines 38-41; col. 5, lines 15-20) and a LAN interface (links connecting items 30 to device 24). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to have a connection to communicate data through the Internet (Veerina, col. 1, lines 38-41).

Claims 4 and 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Koyama in view of Abraham as applied to claim 1 above, and further in view of Rabenko et al. (US 2002/0006137).

9. Regarding claims 4 and 7-8, Koyama in view of Abraham does not disclose a telephony interface based on a cable modem protocol or VPN. Rabenko discloses an apparatus (fig. 1a) comprising a telephony interface (item 102) that is a cable modem interface (para. 34, lines 1-2),

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a VPN interface (para. 64, last two lines), and an interface based on TCP/IP (para. 32, lines 1-9).

Therefore, it would have been obvious to one skilled in the art at the time the invention was made to have a cable modem telephony interface or VPN interface in the invention of Koyama in order to provide data through a cable system (Rabenko, para. 35) or through a wide area network (Rabenko, para. 32).

Claims 5 and 13-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Koyama in view of Abraham as applied to claim 1 above, and further in view of Riemann et al. (US 5,892,764).

10. Regarding claim 5, Koyama in view of Abraham does not disclose that the telephony interface is based on ISDN. Riemann discloses an apparatus comprising a telephony interface (item 12; fig. 2, item 22) based on ISDN (col. 5, lines 51-54). Therefore, it would have been obvious to have an ISDN interface to communicate with ISDN users (Riemann, col. 5, lines 51-55).

11. Regarding claims 13 and 17, Koyama in view of Abraham does not disclose that the attendant has external connections. Riemann discloses an attendant (fig. 1, item 12; fig. 7) as a computer that has external connection to a video output (fig. 7, item 81). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to have external connections in the invention of Koyama in order to manage, control or interact with the attendant (col. 12, lines 9-14 and lines 42-44).

12. Regarding claims 14-16, Koyama in view of Abraham and Riemann does not disclose the external device is a USB device, a facsimile device or a video input device. Examiner takes Official Notice that several devices are connected to a computer in order to perform various

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functions desired by the user. Therefore, it would have been obvious to one skilled in the art at the time the invention was made to add a USB device, a facsimile device or a video input device to a computer in the invention of Koyama in view of Abraham and Riemann.

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Koyama in view of Abraham as applied to claim 1 above, and further in view of Whittaker et al. (US 6,130,893).

13. Koyama in view of Abraham does not disclose a telephone interface based on xDSL. Whittaker discloses an apparatus (fig. 1) comprising a telephony interface (item 24) based on xDSL (col. 3, lines 9-11). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to have an xDSL interface in the invention of Koyama in view of Abraham in order to connect to a central office using a higher data rate (Whittaker, col. 2, lines 56-59).

### *Conclusion*

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

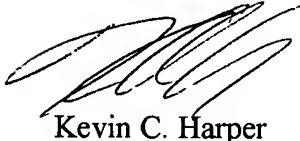
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however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Harper whose telephone number is 571-272-3166. The examiner can normally be reached weekdays from 11:00 AM to 7:00 PM ET.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema S. Rao, can be reached at 571-272-3174. The centralized fax number for the Patent Office is 571-273-8300. For non-official communications, the examiner's personal fax number is 571-273-3166 and the examiner's e-mail address is kevin.harper@uspto.gov.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications associated with a customer number is available through Private PAIR only. For more information about the PAIR system, see portal.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Kevin C. Harper

November 27, 2005



EXAMINER  
PATENT EXAMINER